

REMARKS

Claims 1-11 and 15-26 are currently pending, of which Claims 1, 2, 17, 18, and 22 are independent. Applicant amended Claims 1, 2, 17, 18, and 22 in the Office Action Response of May 12, 2008 that was filed in response to the Final Office Action of March 10, 2008 (“Office Action” herein). Because the amendment was not entered by the Office, Applicant presents the same amendment herein.

I. First Claim Rejections under 35 U.S.C. §103

On page 3 of the Office Action, Claims 17-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application No. 2003/0004853 to Ram (hereinafter “Ram”) in view of U.S. Patent No. 6,625,583 to Silverman (hereinafter “Silverman”) and further in view of U.S. Patent No. 7,103,556 to Del Rey (hereinafter “Del Rey”).

First, on page 4 of the Office Action, with respect to independent Claim 17, the Office admits that Ram in view of Silverman does not show defining an event associated with a second tradeable object to trigger creation of an annotation [for a first tradeable object], detecting the event, and displaying an annotation associated with the event [in relation to a price level in the market information display region associated with the first tradeable object]. The Office turns to Del Rey for disclosure of the aforementioned features.

The Office cites to different sections in Del Rey for the aforementioned disclosure. More specifically, the Office cites to Column 9, Lines 56-60 for disclosure of defining an event, Column 8, Lines 9-17 for disclosure of detecting the event, Column 9, Lines 47-51 for displaying an annotation associated with the event. As previously stated in the Office Action Response of May 12, 2008, Applicant respectfully notes that Applicant’s Claim 17 calls for the interrelated steps of detecting an event in relation to one tradeable object and responsively creating an annotation in relation to a price level in the market information display region associated with another tradeable object.

Applicant respectfully submits that the Office cites to various independent sections in Del Rey that are not even inter-related. In the Advisory Action, the Office disagreed with Applicant that the section cited by the Office were “disconnected and not correlated.” The Office stated that “the features cited from Del Rey reference are all part of the Figure 4-the various modules of

an account presentation feature of aggregated data.” Applicant maintains that the cited sections are not correlated despite the fact that they are disclosed in relation to Figure 4 as discussed below. Additionally, the cited sections do not disclose the features of Applicant’s Claim 17.

Figure 4 illustrates various modules of an account presentation feature. The first section cited by the Office (Col. 9, Lines 56-60) relates to a watchlist display 430 that relates to a market snapshot display 420, a first module of the display of the account presentation feature. The second section cited by the Office (Col. 8, Lines 9-17) relates to the account type view display 412 of the account summary display 410. Finally, the third section cited by the Office relates again to the watchlist display 430.

The Office uses the first and third sections related to the watchlist display 430 to disclose defining an event associated with a second tradeable object to trigger creation of an annotation and further to disclose displaying the annotation associated with the event. Applicant respectfully submits that the cited sections relate to viewing information received for a stock, such as viewing preset alerts or notes about the stock. Then, the Office uses the second section related to the market snapshot display 420 to disclose “detecting the event associated with the second tradeable object based on the market data associated with the second tradeable object.” However, the second cited section in Del Rey relates to flagging an account to indicate a certain occurrence related to an account, such as inconsistencies in an overall account value, provided via the account summary display 410. Applicant maintains the position that the cited sections are not correlated, as the alerts and notes defined via the watchlist 430 are in no way related to flagging accounts via the market snapshot displays 420, and vice versa.

In sum, the cited references fail to disclose defining an event associated with one tradeable object, detecting the event, and then displaying an annotation associated with the event in relation to a price level of a display associated with another tradeable object. Thus, Applicant respectfully submits that the Claims 17 and 18 are patentable over Ram in view of Silverman and in view of Del Rey, because the references when combined do not teach or suggest all the claim limitations. While dependent Claims 19-21 are patentable for their own reasons, they are patentable for at least the same reasons presented above.

With respect to Claim 22, the Office admits that Ram in view of Silverman does not show an annotation application for receiving an input from a user input device to flag at least one price level, for receiving user data for entry into the annotation and for linking the annotation to

the at least one price level, and for displaying the annotation in relation to the at least one flagged price level.

The Office turns to Column 8, Lines 9-17 in Del Rey for disclosure of receiving an input from a user to flag at least one price level. As explained above, the cited section is related to flagging an account to indicate a certain occurrence, such as that an inconsistency in an overall account value may exist. This does not disclose flagging at least one price level to be associated with an annotation, as claimed in currently amended Claim 22. The Office then turns to Column 9, Lines 47-51 for receiving user data for entry into an annotation and linking the annotation to the at least one price level. As explained above, the cited section of Del Rey describes writing personal information for a security in a portfolio watchlist. There is no disclosure in Del Rey of flagging a price level in Del Rey, and then receiving an annotation and linking it to the flagged price level.

Finally, the Office turns to Column 9, Lines 56-60 in Del Rey for disclosure of displaying the annotation associated with at least one flagged price level. Applicant respectfully submits that displaying a stock symbol that can provide a link to additional information related to the stock, such as positions held for the stock, applicable notes and alerts for the stock does not disclose the aforementioned feature. There is no disclosure in Del Rey that the stock for which the annotation is created was in any way related to flagging the account that was used by the Office for disclosure of flagging at least one price level. Thus, once again, the various pieces and features of Del Rey cited by the Office seem extremely disconnected and not correlated at all contrary to the correlation of features recited in Applicant's Claim 22.

Applicant respectfully submits that the Claim 22 is patentable over Ram in view of Silverman and in view of Del Rey, because the references when combined do not teach or suggest all the claim limitations. While dependent Claims 23-26 are patentable for their own reasons, they are patentable for at least the same reasons presented above.

II. Second Claim Rejections under 35 U.S.C. §103

On page 9 of the Office Action, Claims 1-11 and 15-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ram in view of Silverman, and further in view of Del Rey, and further in view of U.S. Publication No. 2002/0091679 to Wright (hereinafter "Wright").

The Office admits that Ram in view Silverman does not show receiving a command from a user input device to flag at least one price level, and receiving user data via the graphical user interface ... for entry into a first annotation to record an occurrence of event. The Office turns to Del Rey for the disclosure of the aforementioned features. Applicant respectfully submits that Del Rey fails to disclose the cited features. Applicant incorporates the arguments from the previous section herein by reference.

The Office then admits that Ram, in view of Silverman, and further in view of Del Rey fails to disclose linking the first annotation to the at least one flagged price level. The Office turns to paragraph 35 in yet another reference, Wright, for disclosure of this feature. Applicant respectfully submits that Wright is directed to displaying information about search result sets and displaying link information for collections of objects having “hyperlinks” or other references from one another. (See, e.g., paragraph 7 in Wright). According to paragraph 35 in Wright, objects that are linked to layers that are not displayed are marked with flags. The displayed flags in Wright could also denote cases having links to user annotations. Applicant respectfully submits that providing indicators (flags) that serve as links to additional information related to a specific icon does disclose flagging a price level to be used in relation to an annotation and linking the annotation to the flagged price level when user data for the annotation is received. It appears that Wright does not add anything new to Del Rey that was used by the Office in relation to Claim 22 to disclose the aforementioned feature of Applicant’s Claims 1 and 2.

Thus, Applicant respectfully submits that independent Claims 1 and 2 are patentable over Ram in view of Silverman, and further in view of Del Rey, and further in view of Wright. While dependent claims 3-11 and 15-16 are patentable for their own reasons, they are patentable for at least the same reasons presented above with respect to Claim 1.

III. Conclusion

In view of the foregoing, Applicant respectfully submits that the claimed invention as amended is not taught by the cited art. Accordingly, favorable reconsideration and withdrawal of the rejections are respectfully requested.

In the event that the Office maintains the rejection of amended independent claims, Applicant respectfully requests that the Office, in the interest of expedited prosecution, identify,

with the specificity required to establish a prima facie case of obviousness, where in the cited reference is an alleged disclosure of the aforementioned features.

If Examiner believes that further dialog would expedite consideration of the application, Examiner is invited to contact Trading Technologies in-house Patent Counsel Monika Dudek at 312-476-1118, or the undersigned attorney or agent.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Dated: June 9, 2008

By: /Jori R. Fuller/
Jori R. Fuller
Registration No. 57,628

McDonnell Boehnen
Hulbert & Berghoff LLP
300 South Wacker Drive
Chicago, IL 60606
Tel: 312-913-0001
Fax: 312-913-0002